



RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: July 17, 2002

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TO EXAMINER: J.D. Epperson

ART UNIT: 1627

SERIAL NUMBER: 09/742,033

FAX/TELECOPIER NUMBER: (703) 308-4315

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7/18/02
7-22-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ji Sun et al.

Serial No: 09/742,033

Filed: December 20, 2000

For: COREACTANT - INCLUDING
ELECTROCHEMILUMINESCENT COMPOUNDS, METHODS,
SYSTEMS AND KITS UTILIZING SAME

Group Art Unit: 1627

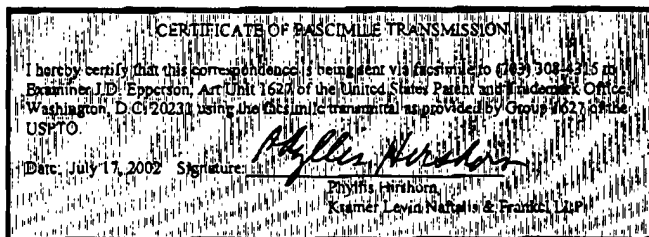
Examiner: Epperson, J.D.

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RESPONSE TO ELECTION

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed June 17, 2002, election of a single compound was required under 35 U.S.C. § 121. Applicants thus elect the species set forth in claim 9, wherein n is 3, with traverse. Applicants submit that claims 3-4, 9, 10, 11, 13, 14, 15, 16, and 19-25 read on the elected species.

Applicants traverse the Examiner's election requirement and respectfully request that it be reconsidered and withdrawn.

In view of the fact that the present claims are all related to the same subject matter, it is submitted that a search of the prior art when examining the elected species will result in a search of the prior art when examining the non-elected species. Therefore, since a single search can be performed for all species without any significant burden on the Patent Office, it is respectfully requested that the election requirement be withdrawn.

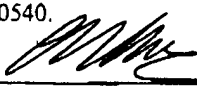
In particular, with respect to the election for "n", Applicants submit that the search would only be marginally harder if "n" is not restricted to a single value. Moreover, experimental data for various values of n that show that, while n=3 appears to provide the best properties, all the compounds exhibit similar properties.

Moreover, Applicants note that claims substantially similar to the pending the claims were pending in the parent application and previously subjected to a restriction requirement and office action. Applicants urge that requiring that the claims be further restricted at this point in the prosecution of the invention is improper.

If there are any issues which would remain to prevent this application from proceeding to allowance, the Examiner is respectfully requested to contact the Applicants' undersigned attorney to discuss the matter.

No fee is believed due. The Commissioner is authorized to charge any deficiency or credit any overpayment to our Deposit Account No. 50-0540.

By:


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